

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

Diane E.C.,)	
)	
Plaintiff)	
)	Civil Action No. 2:20-cv-00309-LEW
v.)	
)	
Kilolo Kijakazi,)	
Acting Commissioner)	
of Social Security,)	
)	
Defendant)	

ORDER ON JOINT MOTION FOR ATTORNEY FEES

Pursuant to the power of this Court to award fees to a prevailing party other than the United States incurred by that party in a civil action against the United States, including proceedings for judicial review of agency action, under the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A), and in light of this Court's February 3, 2022, Order and Judgment remanding this case to the Defendant Commissioner for further administrative proceedings,

IT IS HEREBY ORDERED that the United States Social Security Administration shall pay attorney's fees in the amount of two thousand one hundred forty dollars and zero cents (\$2,140.00) in full satisfaction of any and all attorney's fee claims Plaintiff may have in this case under the Equal Access to Justice Act; and that reimbursement of costs for the District Court filing fee of four hundred dollars and zero cents (\$400.00) is payable to Plaintiff from the Judgment Fund administered by the United States Treasury.

See 28 U.S.C. § 2412; 31 U.S.C. § 1304. This will satisfy all of Plaintiff's claims for fees, costs, and expenses in this case.

Pursuant to the United States Supreme Court's ruling in *Astrue v. Ratliff*, 560 U.S. 586 (2010), these attorney's fees are payable to Plaintiff as the prevailing party, and are subject to offset through the Treasury Department's Offset Program to satisfy any pre-existing debt Plaintiff may owe to the government. If, subsequent to the entry of this Order, the Commissioner determines that Plaintiff owes no debt to the government that would subject this award of attorney's fees to offset, the Commissioner may honor Plaintiff's December 7, 2021, signed assignment of EAJA fees providing for payment of the subject fees to Plaintiff's counsel, rather than to Plaintiff. If, however, Plaintiff is discovered to owe the government any debt subject to offset, the Commissioner may pay any Attorney's fees remaining after such offset to Plaintiff rather than to counsel.

SO ORDERED.

Dated this 16th day of February, 2022.

/s/ Lance E. Walker
UNITED STATES DISTRICT JUDGE